

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

BRITTANY BAILEY,
Plaintiff,

v.

HSMTX/BEAUMONT, HEALTH
SERVICES MANAGEMENT OF TEXAS
LLC, BARBARA DEFILS,
Defendants.

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CIVIL ACTION NO. 1:22-CV-00582-MJT

JUDGE MICHAEL TRUNCALE

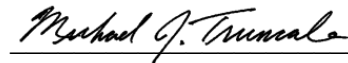
ORDER ADOPTING REPORT AND RECOMMENDATION

On April 16, 2024, the Court referred Defendants HSMTX/Beaumont and Health Services Management of Texas, LLC's Motion for Summary Judgment [Dkt. 11] to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration and disposition pursuant to Title 28 U.S.C. § 636(b)(1)(A) and (3). [Dkt. 18]. On June 6, 2024, Judge Hawthorn issued his Report and Recommendation, which recommends denying Defendants' Motion for Summary Judgment because the Plaintiff introduced a non-retained treating physician expert who can permissibly testify about medical causation. [Dkt. 21 at 1].

The Court received and considered the Report and Recommendation of the United States Magistrate Judge pursuant to such referral, along with the record, pleadings, and all available evidence. The parties have not filed objections to the Report and Recommendation, and the time for doing so has passed. *See* 28 U.S.C. § 636(b)(1)(C). After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

It is, therefore, ORDERED that Judge Hawthorn's Report and Recommendation denying Defendants' Motion for Summary Judgment [Dkt. 21] is ADOPTED. Accordingly, Defendants HSMTX/Beaumont and Health Services Management of Texas, LLC's Motion for Summary Judgment [Dkt. 11] is DENIED.

SIGNED this 23rd day of June, 2024.

A handwritten signature in black ink, reading "Michael J. Truncale", written over a horizontal line.

Michael J. Truncale
United States District Judge